

# The Legislation of Lycurgus and Solon

TRANSLATED BY GEORGE GREGORY

[Schiller delivered his essay on Lycurgus and Solon in the context of his lectures on Universal History, at Jena University, in August 1789.

The essay puts forth two alternative conceptions of government—a republican and an oligarchic form—which have existed since the time of the Greeks. The oligarchic, associated with Lycurgus, reduces man to a beast, denying individual human creativity. Solon's republican government is premised on a conception of man raised to the level of participation in the divine. The essay was originally published in the 11<sup>th</sup> edition of Thalia, in 1790.]

To properly appreciate the Lycurgian plan, we must look back to the political situation in Sparta of that time, and come to know the condition in which he found Lacadaemon when he came forth with his new design. Two kings, both furnished with the same authority, stood at the head of the state; each jealous of the other, each busy to secure himself a following, thus to set limits to the authority of his counterpart on the throne. This jealousy had been passed from the first two kings, Prokles and Eurysthes, and their mutual lineages, down to Lycurgus, so that Sparta was incessantly troubled by factions over this long span of time.

By bestowing greater freedoms, each king attempted to corrupt the people to incline to him, and these concessions led the people to become insolent and, ultimately, to insurrection. The state wavered to and fro, between monarchy and democracy, and swung in rapid succession from one extreme to the other. No line was drawn between the rights of the people and the authority of the kings, and wealth flowed into the hands of a few families. The rich citizens tyrannized the poor, and the desperation of the latter expressed itself in revolt.

Torn asunder by internal discord, the weak state had

inevitably fallen prey to hostile neighbors, or fallen completely apart into a number of smaller tyrannies. And that is the condition in which Lycurgus found Sparta: No clear distinction between the authority of the kings and the people, unequal distribution of earthly goods among the citizens, lack of public spirit and concord, and complete political destitution, were the maladies confronting the legislator, of which, therefore, he had to take account in his legislation.

As the day arrived, when Lycurgus wanted to announce his laws, he had thirty of the most prominent citizens, whom he had previously won over to his plan, appear armed in the marketplace, thus to instill fear in anyone who might resist.

King Charilaus, terrified by these measures, fled into the Temple of Minerva, because he believed it all directed against him. But he was dissuaded of this fear, and in the end became so persuaded, that he actively supported Lycurgus's plan himself.

The first decrees concerned the government. To prevent the republic from ever again being tossed to and fro between royal tyranny and anarchic democracy, Lycurgus established a third power, as a counterweight, between the two; he founded a *senate*. The senators, 28 in number, or 30 together with the two kings, were to side with the people, should the kings abuse their authority, and if, on the other hand, the power of the people became too great, the senate would protect the kings against the people. An excellent arrangement, whereby Sparta was forever spared the violent domestic turmoil, which had previously so shaken it. It was thus made impossible for either party to tread the other under foot: Against the people and the senate, the kings could do nothing, and it was impossible for the people to gain the upper hand if the senate made common cause with the kings.

But there was a third case, which Lycurgus left unconsidered—that of the senate itself abusing its power. The

senate, as intermediary, could as easily join with the kings, as with the people, without danger to the public order, but without danger to the public order, the kings could not join with the people against the senate. The senate, therefore, soon began to exploit this advantageous situation, and made excessive use of its authority, in which it was the more successful, since the small number of senators made it easy for them to reach agreement among themselves. Lycurgus's successors filled this gap, therefore, and introduced the ephors, who were to rein in the power of the senate.

More dangerous and bold was the second change Lycurgus instituted: To do away forever with the distinction between rich and poor, he distributed the entire land of the country in equal parts among the citizens. All Laconia was divided into 30,000 fields, the area around the city of Sparta itself into 9,000 fields, each sufficiently large, that a family could easily sustain itself. Now Sparta was beautiful to behold, and Lycurgus himself delighted in the sight of it, as he travelled through the country. "All Laconia," he proclaimed, "is a farm brotherly divided among its brothers."

Lycurgus would gladly have distributed the other earthly goods, as he had the farmland, but there were insuperable obstacles to this plan. He thus attempted to reach this goal by other means, and what he could not change by decree, he took into his own hands.

He began by outlawing all gold and silver coins, introducing iron ones in their stead. He likewise assigned a very low value to the large and heavy pieces of iron, so that a large space were needed to store even a small amount of money, and many horses to carry it away. Lo and behold, to assure, that no one might be tempted to place any great value on this money, and to horde it, on account of the iron in it, he had the glowing-hot iron, which was used for the coins, quenched and tempered in vinegar, which made it unfit for any other use.

Who would now steal, or allow himself to be corrupted, or

even consider hording wealth, for the meagre gains could neither be *kept secret* nor employed?

Not enough, that Lycurgus thereby deprived his fellow citizens of the *means* of luxury—he removed the very objects of the same from their sight, the which might have excited their desire for luxury. Sparta's iron coins were of no use to a foreign merchant, and the Spartans had no others to give him. Artists who worked for luxury, now disappeared from Laconia, no foreign ships appeared any longer in its ports; no adventurer sought his fortune there, no merchants came to prey upon vanities and lusts, for they could carry nothing but iron coins away with them, and in all other countries these were despised. Luxury ceased to exist, for there was no one to sustain it.

In other fields, too, Lycurgus set to work against luxury. He decreed, that all citizens eat together in a public place, and that they all eat the *same* prescribed meals. It was not allowed to indulge in delicacies at home, nor to eat luxurious foods prepared by one's own cooks. Everyone was required to contribute a certain sum of money, once each month, for the food at the common meals, and he received his meals from the state in return. Fifteen persons usually ate together at one table, and each guest had to be accepted by his companions to be permitted to eat at the common meal. No one was permitted to remain absent without a valid excuse; this part of the decree was upheld so strictly, that Aegis himself, one of the later kings, upon returning from a war gloriously waged, was denied permission by the ephors, when he asked to eat with his wife alone at home. Among the Spartan meals, the black soup became famous—a meal in praise of which it is said, that the Spartans had to be courageous, for dying was hardly a worse fate than eating their black soup. They spiced their meals with merriment and humor, and Lycurgus himself was so great a friend of social humor, that he placed an altar to the god of laughter in his house.